

Central Intelligence Agency



Washington, D.C. 20505

11 December 2018

Ms. Emma Best
MuckRock News
DEPT MR 62968
411A Highland Avenue
Somerville, MA 02144

Reference: F-2019-00297

Dear Ms. Best:

On 5 November 2018, the office of the Information and Privacy Coordinator received your 3 November 2018 Freedom of Information Act (FOIA) request for records on **Colonel Earle L. Lerette**. We have assigned your request the reference number above. Please use this number when corresponding so that we can identify it easily.

Although you have provided some of the identifying information required before we can effectively search our files on an individual, we still need additional data before we can begin processing your request. Without this data, we may be unable to distinguish between individuals with the same or similar names. Specifically, we **require** the individual's:

☒ ***Full name***

☒ ***Date and/or place of birth***

☐ ***Date and/or place of death***

☐ ***Evidence of death***

☐ ***Living party signed affidavit: Freedom of Information Act-Certification of Identity Form and copy of Code of Federal Regulations Vol. 32§ 1900.32(b) information.***

☐ ***Fee waiver denied***

If the individual is deceased, we also require some *evidence of death*, such as a death certificate, an obituary, or a press statement to ensure there are no privacy considerations.

A website link in itself does not satisfy the proof of death requirement. Please provide the actual documentation and source. Proof of death is not required if date of birth is 100 years ago or greater.

Agency regulations encourage requesters seeking information on *living* third parties to provide a signed affidavit or declaration from the third parties waiving all or some of their privacy rights. We can search without this authorization, but if we locate responsive records, privacy concerns may require us to protect the information from release.

FOIA exemption (b)(6) requires us to protect information “the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” In reaching this determination, we use the test our regulations outline at 32 CFR § 1900.32(b): “the Agency will balance the privacy interests that would be compromised by disclosure against the public interest in release of the requested information.” Therefore, the waiver will assist us with this determination.

The FOIA authorizes federal agencies to collect fees for records services. Based on the information provided in your letter, we determined that your request falls into the “representative of the news media” fee category, which means you may have to pay for the cost of reproducing released records, which would be assessed at a rate of ten cents per page after the first 100 copies, which you receive free of charge. As you requested, we will notify you if fees exceed that amount.

If we do not hear from you by 02/19/2019, we will close your request as it is not reasonably described.

Please send requested information to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, DC 20505

If you prefer to fax in your information, our facsimile is 703-613-3007.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allison Fong', with a long horizontal stroke extending to the right.

Allison Fong
Information and Privacy Coordinator